

ITEM:		RECOMMENDATION:	APPROVAL
REF NO:	3PL/2018/1318/O	CASE OFFICER	Naomi Minto
LOCATION:	ATTLEBOROUGH Land at Leys Lane Attleborough	APPNTYPE:	Outline
APPLICANT:	Mrs Monica Westrop The Willows Leys Lane	POLICY:	Out Settlemnt Bndry
AGENT:	John Spencer Drawing Services Magnum House Deopham Green	ALLOCATION:	N
PROPOSAL:	Proposed sub division of garden to provide building plot for a two bedroomed bungalow		
		CONS AREA:	N
		LB GRADE:	N
		TPO:	N

REASON FOR COMMITTEE CONSIDERATION

The application is referred to Committee as it is recommended for approval contrary to policy.

KEY ISSUES

- Principle of development
- Impact upon amenity
- Highway safety
- Trees and ecology
- Other issues

DESCRIPTION OF DEVELOPMENT

The application seeks Outline planning permission, with all matters reserved, for the construction of a two bedroom bungalow. Indicative plans submitted in support of the application indicate that the dwelling would be detached and served by an individual access.

SITE AND LOCATION

The site is located outside of the defined Settlement Boundary of Attleborough but in close proximity to it. The proposed site area is 0.038 hectares. The site is rectangular in shape and currently forms part of the garden belonging to The Willows. The site is characterised by agricultural land to the east, residential development to the south, Leys Lane to the west with paddocks and residential development beyond and the host dwelling (The Willows - still under construction) to the north. Access to the site would be via a new access off Leys Lane.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

The following policies of the adopted Breckland Core Strategy and Development Control Policies and the adopted Site Specific Policies and Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

CP.01	Housing
CP.04	Infrastructure
CP.10	Natural Environment
CP.11	Protection and Enhancement of the Landscape
CP.13	Accessibility
DC.01	Protection of Amenity
DC.02	Principles of New Housing
DC.12	Trees and Landscape
DC.16	Design
DC.19	Parking Provision
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance
SS1	Spatial Strategy

OBLIGATIONS/CIL

Not Applicable

CONSULTATIONS

ATTLEBOROUGH TC

Concerns regarding Highways access / visibility and no footpath provision

NORFOLK COUNTY COUNCIL HIGHWAYS

No objection, subject to conditions.

CONTAMINATED LAND OFFICER

No objections, subject to conditions.

TREE AND COUNTRYSIDE CONSULTANT

No objection.

ECOLOGICAL AND BIODIVERSITY CONSULTANT

No objection, subject to conditions.

REPRESENTATIONS

A site notice was erected on 29 November 2018 and two neighbours consulted. No representations were received.

ASSESSMENT NOTES

1.0 Principle of development

1.1 This application seeks Outline planning permission for the construction of a single dwelling with all other matters reserved, on garden land to the south west of The Willows. The site sits outside of but in relatively close proximity to the defined settlement boundary of Attleborough. The proposal is therefore contrary to Policies SS1, DC2, CP1 and CP14 of the adopted Core Strategy, which aim to restrict new development outside of settlement boundaries.

1.2 However, the District cannot currently demonstrate a five year housing land supply. Paragraph 11(d) of the NPPF (2019) states that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, planning permission should be granted. This includes applications involving the provision of housing, where the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites. However, planning permission should not be granted where policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed. In addition, planning permission should not be granted where any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the NPPF as a whole.

1.3 The NPPF constitutes guidance for LPAs and decision takers and is a material consideration in the determination of planning applications to achieve sustainable development. The government outlines three objectives to sustainable development: economic, social and environmental (paragraph 8). These objectives give rise to the need for the planning system to perform a number of roles:

- an economic objective - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective - supporting strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective - contributing to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

1.4 Paragraph 9 states that these objectives should be delivered through the preparation and

implementation of plans and the application of the policies in the NPPF. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

1.5 In terms of the economic and social criteria, the proposed dwelling would provide one additional dwelling and would, therefore, make a positive, albeit very small, contribution to economic activity through its construction and delivery. The delivery of housing to meet local needs would also bring social benefits in meeting the needs of local residents, and providing further footfall to the service provision within Attleborough and further afield.

1.6 Whilst Attleborough is a suitable location for housing growth, this site is separated from the town and located on a rural lane. However, the proposal would not be considered isolated when viewed within the surrounding residential context. Leys Lane and its surroundings provide little to no services or facilities. However, the site is in close proximity to the settlement boundary of Attleborough (a Market Town), which does benefit from an extensive provision of services and facilities (public houses, schools, shops, dentist / doctors surgeries etc) and as such would make a positive contribution in this regard. In addition, the town benefits from 15 bus and coach services and a train station, all of which link Attleborough to Wymondham, Norwich, Diss and further afield. These services could potentially be supported by future occupants of the proposed development, and would therefore enable future occupiers to be less reliant on the private car to meet their day-to-day needs.

1.7 In terms of the environmental objective, the site is located on a plot of land that forms part of the residential amenity space connected with The Willows. It is considered that the site represents an infill plot and if developed sensitively would not appear out of character with the area, having regard to Policy CP11 of the adopted Core Strategy. Therefore, on balance, it is considered acceptable in environmental terms.

1.8 Annex 2 (Glossery) of the NPPF (2019) states in order to be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. It is considered appropriate to impose a two year period for commencement of development in order to reaffirm the deliverability of the development. This could be achieved through the inclusion of a suitably worded condition.

1.9 Notwithstanding that the site lies outside of the defined settlement boundary of Attleborough, the proposed dwelling is considered to represent a sustainable form of development, which would positively contribute to the shortfall of the District's housing requirement. In addition, it is considered that a bungalow would be in keeping with the immediate vicinity and would therefore not be detrimental to the existing character and appearance of the area. On this basis, the principle of development is considered acceptable.

2.0 Impact upon amenity

2.1 Policy DC1 of the adopted Core Strategy seeks to protect residential amenity of existing and future residents. The indicative plan submitted with the application shows that a dwelling could fit on the site with sufficient external amenity space.

2.2 In respect of the impact on neighbouring resident's amenity, having regard to loss of privacy, it is considered that the use of a suitably worded condition restricting the dwelling to a one storey bungalow would ensure that privacy for existing and future occupants is maintained. Taking into account that this is an Outline application only with all other matters reserved, in the event that the application is approved, details relating to the actual design of the property and boundary treatment would be dealt with at reserved matters stage. Further consideration would be given at that stage in relation to protecting the amenity of existing and

future occupants. The proposal is therefore considered to be in accordance with Policy DC1 of the adopted Core Strategy.

3.0 Highway safety

3.1 Norfolk County Council Highways were consulted as part of the application process and advised that the site lies on the section of Leys Lane, which is straight in alignment and has the benefit of a passing place. This coupled with recent planning permissions for other residential development along Leys Lane (to the south west of the site) has led to Highways raising no objection to the proposal, subject to the inclusion of a condition with any forthcoming planning permission.

3.2 The condition recommended requires a reserved matters application to include details relating to onsite turning provision, parking in accordance with current adopted guidelines and the access with any gates to be set back 5m from the carriageway edge and side fences splayed at 45 degrees. Visibility should be provided based on 2.4m x 43m or 2.4m parallel band. Highways noted that existing hedging is likely to be affected in order to achieve visibility splay requirements.

4.0 Trees and ecology

4.1 As part of the consultation process, the Tree and Countryside Officer was consulted. No objection was raised in respect of the proposal. It is therefore considered to be in accordance with Policy DC12 of the adopted Core Strategy.

4.2 In respect of the impact of the development on ecology, comments were sought from the Natural Environment Team. Initially, they asked for a Preliminary Ecological Appraisal to be submitted. However, following further material submitted in support of the application, the Natural Environment Team advised that the site appears to have negligible potential to support protected species and on that basis they raised no objection subject to the inclusion of informatives and a condition requiring the provision of at least one bird/bat box in a suitable location on the site to provide net gains for biodiversity in line with paragraph 170 of the revised NPPF. The proposal is therefore considered to accord with the requirements of Policy CP10 of the adopted Core Strategy and the NPPF (2019).

5.0 Other issues

5.1 Policy CP9 of the adopted Core Strategy seeks to ensure that development minimises any unavoidable polluting effects and the development's design should actively seek to minimise or mitigate against all forms of pollution. The Contaminated Land Officer was consulted as part of the application process and raised no objection to the proposal, subject to it being carried out in line with the application details. The proposal is therefore considered to be in accordance with Policy CP9.

6.0 Conclusion

6.1 Taking into account the overall planning balance of the scheme, the proposal is considered to represent a sustainable form of development and is acceptable when considering the Council's lack of a 5 year supply of housing land and having regard to the NPPF (2019). The application is therefore recommended for approval, subject to conditions.

RECOMMENDATION

Recommended for approval, subject to conditions.

CONDITIONS

- 1 Outline Time Limit (2 years) Early Delivery**
Application for Approval of Reserved Matters must be made not later than the expiration of TWO YEARS beginning with the date of this permission, and the development must be begun within TWO YEARS of the FINAL APPROVAL OF THE RESERVED MATTERS or, in the case of approval at different dates, the FINAL APPROVAL OF THE LAST SUCH MATTER to be approved.
Reason for condition:-
As required by section 92 of the Town & Country Planning Act 1990 and in order to ensure the early delivery of housing.
- 2 Standard Outline Condition**
No development whatsoever shall take place until the plans and descriptions giving details of the reserved matters referred to above shall have been submitted to and approved by the Local Planning Authority and these plans and descriptions shall provide details of the appearance, layout, scale, access and landscaping of the development.
Reason for condition:-
The details are not included in the current submission.
- 3 Single storey dwelling only**
This permission hereby authorises the erection of one single storey dwelling only.
Reason for condition:-
To ensure a form of development compatible in scale and massing with the adjacent buildings and in the interests of the visual amenities of the area, having regard to Policy DC16 of the adopted Core Strategy.
- 4 In accordance with submitted plans NEW 2017**
The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out in the table at the end of this notice.
Reason for condition:-
To ensure the satisfactory development of the site.
- 5 Non standard highway condition**
The reserved matters application shall include details in relation to the following;

 - Access with any gates set back 5m from the carriageway edge
 - Side fences splayed at 45 degrees
 - Visibility of 2.4m x 43m or 2.4m parallel band
 - Parking in accordance with current adopted guidelines
 - Turning provision

Reason for condition:-
In accordance with highway safety
This condition will require to be discharged
- 6 Non-standard condition**
Prior to the first occupation of the development hereby approved, at least one bird / bat box must be placed in a suitable location on the site to provide net gains for biodiversity, in

accordance with details to be first submitted to and approved by the Local Planning Authority.

Reason for condition:-

In line with paragraph 170 of the NPPF and Policy CP10 of the adopted Core Strategy.